

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Faurtina Martin,)	
)	Civil Action No. 6:05-3520-HMH-BHH
Plaintiff,)	
)	
vs.)	<u>REPORT AND RECOMMENDATION</u>
)	<u>OF MAGISTRATE JUDGE</u>
Honeywell International, and Honeywell)	
Engines and Systems,)	
)	
Defendants.)	
_____)	

By order of this Court filed July 24, 2007, the motion for Kenneth Gibson to withdraw as attorney for the plaintiff was granted. The plaintiff was given 30 days to secure new counsel or to indicate to the Court her desire to continue prosecuting her case *pro se*. She was warned that if she did not so indicate within 30 days, the case could be dismissed for the plaintiff's failure to prosecute it. The plaintiff made no response within the prescribed time.

As the plaintiff is proceeding *pro se*, the court filed a second order on August 21, 2007, giving the plaintiff through September 7, 2007, to secure new counsel or indicate to the Court her desire to continue prosecuting her case *pro se*. The plaintiff was specifically advised that if she failed to respond, this action would be dismissed for failure to prosecute. The plaintiff elected not to respond.

Based on the foregoing, it appears the plaintiff no longer wishes to pursue this action. Accordingly, it is recommended that this action be dismissed for lack of prosecution pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, based on the factors outlined in *Chandler Leasing Corp. v. Lopez*, 669 F.2d 919, 920 (4th Cir.1982), and for violation of this Court's previous orders. See *Ballard v. Carlson*, 882 F.2d 93 (4th Cir. 1989). *Ballard v. Carlson*, 882 F.2d 93 (4th Cir. 1989), *cert. denied*, 493 U.S. 1084 (1990).

s/Bruce Howe Hendricks
United States Magistrate Judge

September 11, 2007
Greenville, South Carolina